

Remarks/Arguments:

The pending claims are 1-30 and 40-42. Claims 1-30 have been allowed. Claims 31-39 and 43-58 have been canceled. Claim 40 has been amended. The amendment has been made in compliance with 37 CFR § 1.173(b) and the July 14, 2008 Office Communication. No new matter is introduced therein.

Applicants thank the Examiner for the courtesies extended to their representative during telephone conferences on February 15 and February 21, 2008 discussing claim 40 in view of the cited prior art. Applicants have amended claim 40 so that it reads, in part:

said generally cylindrical supportive leg component and one of said leg portions of said liner, when said leg component and trunk component are deployed within the body vessel, are telescopically slidable with respect to each other.

Claim 40 has been amended by changing "positioned" to "slidable." The last line of claim 40 has therefore been changed from "telescopically positioned with respect to each other" to "telescopically slidable with respect to each other." The amendment to claim 40 is supported at least by column 11, lines 55-61 of the specification which states, in part, that the "telescopic feature allows some slippage between the trunk component and the tubular leg components, thereby providing a telescopic joint which functions as a slip bearing."

Claims 40-42 have been rejected under 35 U.S.C. § 102(e) as anticipated by Martin (U.S. Patent No. 5,575,817). The Advisory Action dated February 22, 2008 states that the Final Rejection has been maintained. Martin does not disclose a telescopically slidable joint arrangement between its section 2 and its section 5. That is, there is no disclosure in Martin that those two sections are "telescopically slidable with respect to each other." Instead, Martin teaches that the two sections are attached to each other and are required to be fastened/attached together as explained in Applicants' Response filed on December 20, 2007, which is incorporated herein by reference. For all of the above reasons, as well as all of the reasons stated in the December 20, 2007 response, therefore, claims 40-42 are not subject to rejection under 35 U.S.C. § 102(e) as anticipated by Martin.

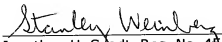
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Accordingly, claims 40-42 are in condition for allowance, in addition to previously allowed claims 1-30. Applicants respectfully request an early indication of allowance.

Respectfully submitted,

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